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Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
Blythe Solar Power Project Unit 3, LLC and
Blythe Solar Power Project Unit 4, LLC*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMR GROUP, INC.,
MMR POWER SOLUTIONS, LLC and
SOUTHWESTERN POWER GROUP II, LLC,

Plaintiffs,

vs.

STA DEVELOPMENT, LLC (F/K/A SOLAR
MILLENNIUM, LLC), SOLAR TRUST OF
AMERICA, LLC, SOLAR MILLENNIUM AG,
SOLAR MILLENNIUM, INC., CA I-10
SOLAR, LLC, PALO VERDE SOLAR I, LLC,
PALO VERDE SOLAR II, LLC, BLYTHE
SOLAR POWER PROJECT UNIT 1, LLC,
BLYTHE SOLAR POWER PROJECT UNIT 2,
LLC, BLYTHE SOLAR POWER PROJECT
UNIT 3, LLC AND BLYTHE SOLAR POWER
PROJECT UNIT 4, LLC

Defendants.

Case No. 3:11-cv-01521-EMC

**CORRECTED FIFTH STIPULATION
TO EXTEND DEFENDANTS' TIME
TO RESPOND TO AMENDED
COMPLAINT AND [PROPOSED]
ORDER**

**The Honorable Judge
Edward M. Chen**

STIPULATION

Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and
SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA
DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,
CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,
BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT
UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR
POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) respectfully request
that the Court extend the time for the STAD Defendants to respond to the Amended Complaint,
filed on October 4, 2011 (ECF No. 102) and served on the STAD Defendants on October 7, 2011,
by eight days from December 19, 2011 to December 27, 2012.

12 On November 4th and 14th, the parties requested, and this Court later granted, a one-week
13 extension of time for the STAD Defendants to respond to the Amended Complaint because the
14 parties were in advanced stages of settlement discussions. On November 22nd and December 1st,
15 the parties requested, and this Court later granted, extensions of two weeks due to continued
16 progress in settlement negotiations. The timing of finalizing a settlement has been impacted by
17 several complex factors, but the parties continue to be hopeful that they will execute a settlement
18 agreement forthwith. Due to the upcoming holidays and the continued progress in reaching a
19 settlement, the parties request an eight day extension of the time for the STAD Defendants to
20 respond to the Amended Complaint. The parties' request will have a *de minimis*, if any, impact
21 on the schedule. In the interests of judicial economy, the parties therefore request that Court
22 extend the STAD Defendants' time to respond to the Amended Complaint by eight days from
23 December 19, 2011 to December 27, 2012.

1 Dated: December 19, 2011

MILBANK, TWEED, HADLEY & McCLOY LLP

2 By: /s/ Rachel Penski Fissell

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Palo Verde Solar II, LLC, Blythe Solar Power Project
12 Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
Blythe Solar Power Project Unit 3, LLC and
Blythe Solar Power Project Unit 4, LLC

14 Dated: December 19, 2011

**WATT, TIEDER, HOFFAR
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22 Solutions, LLC and Southwestern Power Group II, LLC

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: 12/19/11

